

27BC, APPEAL, MHT-ClerkB, SC

**U.S. District Court
Alabama Middle District (Montgomery)
CRIMINAL DOCKET FOR CASE #: 2:94-cr-00062-MHT-CSC-4
Internal Use Only**

Case title: USA v. Andrews, et al

Date Filed: 11/17/1994

Assigned to: Honorable Myron H.
Thompson
Referred to: Honorable Charles S.
Coody

Defendant

Curtis Drayton (4)

represented by **Curtis Drayton**

#09299-002

FCI

PMB 1000, Unit Delta - B

Talladega, AL 35160

PRO SE

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ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

United States of America

represented by **Louis V. Franklin, Sr.**
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Date Filed	#	Docket Text
11/17/1994		**Added party Oscar Andrews, Terry Mitchell, Richard Thomas, Curtis Lee Drayton, Lorenzo Hughes, Nathaniel Salery, Curtis Bell, Ulysses Morris, Mary Morrow, Donald Minnifield, Frank Sowers, Geraldine Frazier, Gerald Wells, Dennis Price, James Donald Bowman, Ronald Lander, Wallace Salery, Mary Mitchell, Jerry Lindsey Artis for 2255 Proceedings (snc) (Entered: 05/22/2000)
11/17/1994		**Added Government Attorney Louis V. Franklin Sr. as to Oscar Andrews, Terry Mitchell, Richard Thomas, Curtis Lee Drayton, Robert L. Franklin, Lorenzo Hughes, Nathaniel Salery, Curtis Bell, Ulysses Morris, Mary Morrow, Donald Minnifield, Frank Sowers, Geraldine Frazier, Gerald Wells, Dennis Price, James Donald Bowman, Ronald Lander, Wallace Salery, Mary Mitchell, Jerry Lindsey Artis (snc) (Entered: 05/22/2000)
11/17/1994		CASE assigned to Judge Anthony A. Alaimo (snc) (Entered: 05/22/2000)
11/17/1994		Magistrate Judge Charles S. Coody assigned to case for discovery matters as well as matters subsequently referred by District Judge Anthony A.

		Alaimo . (snc) (Entered: 05/22/2000)
03/29/1999		**Added (ip) party Curtis Drayton, USP-HIGH, P. O. Box 26030, Beaumont, Texas 77720-6030 (snc) (Entered: 05/23/2000)
03/29/1999	1247	MOTION by Curtis Drayton to Vacate under 28 U.S.C. 2255 [1247-1] referred to Mag. Judge Charles S. Coody/SA Anderson (Motion assigned to Judge Alaimo; see 4/13/00 entry) (snc) (Entered: 05/23/2000)
03/29/1999	1248	MEMORANDUM by Curtis Drayton in support of [1247-1] motion to Vacate under 28 U.S.C. 2255 Referred to Judge Coody/SA Anderson (snc) (Entered: 05/23/2000)
03/29/1999	1249	Appendix/Addendum to MOTION by Curtis Drayton to Vacate under 28 U.S.C. 2255 [1249-1] referred to Mag. Judge Charles S. Coody (separate expansion folder) Referred to Judge Coody/SA Anderson (snc) (Entered: 05/23/2000)
03/31/1999	1250	ORDER as to Curtis Drayton directing the Clerk to serve the 2255 motion on the USA for this district and directing the United States to file an answer to the 2255 motion and brief by 4/20/99 (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies to: USA, USPO (snc) (Entered: 05/23/2000)
04/09/1999	1251	MOTION by USA as to Curtis Drayton for Extension of Time [1251-1] referred to Mag. Judge Charles S. Coody/SA Anderson (snc) (Entered: 05/23/2000)
04/09/1999		STAMPED ORDER as to Curtis Drayton granting [1251-1] motion for Extension of Time as to Curtis Drayton (4) (Entered by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: USA, USPO (snc) Modified on 06/01/2000 (Entered: 05/23/2000)
04/12/1999	1254	MOTION by Curtis Drayton to move the court for discovery (memorandum attached) [1254-1] referred to Mag. Judge Charles S. Coody/SA Anderson (snc) (Entered: 05/23/2000)
04/14/1999	1256	ORDER as to Curtis Drayton denying [1254-1] motion to move the court for discovery as to Curtis Drayton (4) (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: USA, USPO (snc) Modified on 05/23/2000 (Entered: 05/23/2000)
05/10/1999	1258	RESPONSE by USA as to Curtis Drayton re addendum to [1249-1] motion to Vacate under 28 U.S.C. 2255, [1247-1] motion to Vacate 28 U.S.C. 2255 referred to Mag. Judge Charles S. Coody (snc) Modified on 05/23/2000 (Entered: 05/23/2000)
05/14/1999	1259	ORDER as to Curtis Drayton, supplemental Response to Motion reset for 6/2/99 for Curtis Drayton for [1249-1] motion to Vacate under 28 U.S.C. 2255, reset for 6/2/99 for Curtis Drayton for [1247-1] motion to Vacate under 28 U.S.C. 2255 (by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: USA, USPO (snc) (Entered: 05/23/2000)

05/24/1999	1260	MOTION by Curtis Drayton to Stay Proceedings pending disposition of motion for discovery and fruther request for discovery [1260-1] referred to Mag. Judge Charles S. Coody/SA Anderson (snc) (Entered: 05/23/2000)
05/25/1999	1261	REPLY by Curtis Drayton to response to [1249-1] addendum to motion to Vacate under 28 U.S.C. 2255, [1247-1] motion to Vacate 28 U.S.C. 2255 Referred to Judge Coody/SA Anderson (snc) (Entered: 05/23/2000)
05/26/1999	1262	ORDER as to Curtis Drayton that the motion for additional discovery is denied and the clerk is directed to furnish the defendant a copy of the 4/14/99 order (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies to: USA, USPO (snc) (Entered: 05/23/2000)
05/26/1999	1263	ORDER as to Curtis Drayton denying [1260-1] motion to Stay Proceedings pending disposition of motion for discovery and fruther request for discovery as to Curtis Drayton (4) (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: usa, uspo (snc) (Entered: 05/23/2000)
06/01/1999	1265	Supplemental RESPONSE by USA as to Curtis Drayton re [1249-1] motion to Vacate under 28 U.S.C. 2255 referred to Mag. Judge Charles S. Coody/SA Anderson (snc) (Entered: 06/15/2000)
06/04/1999	1266	ORDER as to Curtis Drayton, that the defendant respond to USA's answers by 6/23/99, as further set out (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: USA, USPO ORDER VACATED BY 7/6/99 ORDER (snc) Modified on 06/01/2000 (Entered: 05/23/2000)
06/08/1999	1268	NOTICE of Interlocutory Appeal by Curtis Drayton of the Magistrate Judge's April 14, 1999 and May 26, 1999 Orders to the District Court. Referred to Judge Alaimo (by fax and rm) (snc) (Entered: 06/01/2000)
06/08/1999	1269	MOTION by Curtis Drayton to Stay Proceeding in this case pending Disposition of Magistrate Appeal to District Court [1269-1] referred to Judge Anthony A. Alaimo (by fax and rm) (snc) (Entered: 06/01/2000)
06/14/1999	1271	MOTION by Curtis Drayton to Extend Time to File Response to Govt's Response [1271-1] referred to Mag. Judge Charles S. Coody (snc) (Entered: 06/01/2000)
06/15/1999	1272	MOTION by Curtis Drayton to Amend [1249-1] appendix/addendum to motion to Vacate under 28 U.S.C. 2255 by Curtis Drayton, [1247-1] motion to Vacate under 28 U.S.C. 2255 by Curtis Drayton (snc) (Entered: 06/01/2000)
06/15/1999	1273	MEMORANDUM by Curtis Drayton in support of [1272-1] motion to Amend [1249-1] appendix/addendum to motion to Vacate under 28 U.S.C. 2255 and [1247-1] motion to Vacate under 28 U.S.C. 2255 by Curtis Drayton (snc) (Entered: 06/01/2000)

06/23/1999	1279	ORDER as to Curtis Drayton denying [1269-1] motion to Stay Proceeding in this case pending Disposition of Magistrate Appeal to District Court of the Magistrate Judge's order denying movant's motion to stay and motion for discovery as to Curtis Drayton (4) (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: USA, USPO (snc) (Entered: 06/01/2000)
07/06/1999	1281	ORDER as to Curtis Drayton, Vacating [1266-1] order that the defendant respond to USA's answers by 6/23/99, as further set out (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: USA, USPO, USM, USPTS, TIM (snc) (Entered: 06/01/2000)
07/06/1999	1282	ORDER as to Curtis Drayton granting [1272-1] motion to Amend [1249-1] appendix/addendum to motion to Vacate under 28 U.S.C. 2255, [1247-1] motion to Vacate under 28 U.S.C. 2255 directing the government to file an answer to the amendment filed 6/15/99 on or before 7/26/99 , and directing the clerk to to furnish the USA a copy of the 6/15/99 amendment and memorandum. (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: USA, USM, USPO, USPTS, TIM (Copy of 6/15/99 documetns furnished USA as directed by NR (snc) (Entered: 06/01/2000)
07/06/1999	1283	ORDER as to Curtis Drayton denying as moot [1271-1] motion to Extend Time to File Response to Govt's Response as to Curtis Drayton (4) (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: USA, USM, USPTSO, TIM (snc) (Entered: 06/01/2000)
07/06/1999	1284	ORDER as to Curtis Drayton construing the defendant's 6/14/99 motion as a motion to compel service of government's supplemental response and directing the USA to furnish the defendant a copy of their answer filed on 6/2/99 (6/1/99) on or before 7/26/99 (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies to: USA, USM, USPO, USPTSO, TIM (snc) (Entered: 06/01/2000)
07/06/1999	1287	MOTION by Curtis Drayton to Proceed in Forma Pauperis with declaratioin in support of request to proceed in forma pauperis attached. [1287-1] referred to Judge Anthony A. Alaimo (fax & rm) (snc) (Entered: 06/01/2000)
07/08/1999		Notice of Appeal docketed and transmitted to USCA, Eleventh Circuit re: appeal by Curtis Drayton (snc) (Entered: 06/01/2000)
07/16/1999	1290	ORDER as to Curtis Drayton denying [1287-1] motion to Proceed in Forma Pauperis because the appeal is frivolous (Signed by Judge Anthony A. Alaimo) Copies mailed to: USCA, Drayton, Copies furnished to: USA, (snc) (Entered: 06/01/2000)
07/22/1999	1292	MOTION by USA as to Curtis Drayton for Extension of Time [1292-1] referred to Mag. Judge Charles S. Coody (snc) (Entered: 06/01/2000)

07/30/1999	1293	Received Jurisdictional question from USCA, Eleventh Circuit of whether the district court's 6/15/99 order denying the "motion to stay pending disposition of movant's motion to stay and motion for discovery" is final and appealable? (snc) (Entered: 06/01/2000)
08/17/1999		Original papers as to Curtis Drayton sent to USCA, Eleventh Circuit per their request (6 volumes of original papers) (snc) (Entered: 06/01/2000)
08/20/1999		Received acknowledgment of receipt of 6 vols of the record on appeal sent to USCA, Eleventh Circuit (snc) (Entered: 06/01/2000)
08/25/1999	1295	RESPONSE by USA as to Curtis Drayton re Supplement to [1247-1] motion to Vacate under 28 U.S.C. 2255 referred to Mag. Judge Charles S. Coody (snc) Modified on 06/01/2000 (Entered: 06/01/2000)
09/02/1999	1296	MOTION by Curtis Drayton to Amend and supplement [1247-1] motion to Vacate under 28 U.S.C. 2255 by Curtis Drayton [1296-1] referred to Mag. Judge Charles S. Coody (snc) (Entered: 06/01/2000)
09/08/1999	1298	ORDER as to Curtis Drayton granting [1296-1] motion to Amend and supplement [1247-1] motion to Vacate under 28 U.S.C. 2255 , directing the Clerk to serve a copy of the amendment and supporting evidentiary materials on the USA, and directing the government to file an answer within 20 days of the date of this order (Signed by Mag. Judge Charles S. Coody) mailed to: dft, Copies furnished to: USA (snc) (Entered: 06/01/2000)
09/15/1999	1300	REPLY by Curtis Drayton to government's response to Supplement to [1247-1] motion to Vacate under 28 U.S.C. 2255 (snc) (Entered: 06/01/2000)
09/28/1999	1306	RESPONSE by USA as to Curtis Drayton re (2nd) Supplemental Motion to Vacate, Set Aside or Correct Sentence filed pursuant to 28:2255 referred to Mag. Judge Charles S. Coody/SA Anderson (snc) (Entered: 06/01/2000)
09/28/1999	1307	Received certified copy of DISMISSAL for lack of jurisdiction (received 9/27/99, rendered 9/23/00) of the U.S. Court of Appeals, Eleventh Circuit, that the district court's June 15 order, denying discovery, is not final under 28 USC 1291 because it does not end the litigation on the merits, that the order, moreover, does not fall within the collateral-order exception because it can be reviewed effectively on appeal from a final judgment, that because this Court lacks jurisdiction, appellant's motion for leave to proceed in forma pauperis is DENIED as moot. (Before: TJOFLAT, COX and HULL, Circuit Judges.) [99-12143-J] [DISMISSAL IS ISSUED IN LIEU OF THE MANDATE] (snc) (Entered: 06/01/2000)
09/30/1999	1308	ORDER as to Curtis Drayton, directing that on or before 10/19/99 the defendant may file a response to the answers filed by the USA re [1247-1] motion to Vacate under 28 U.S.C. 2255 (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: USA, USPO (snc)

		(Entered: 06/01/2000)
10/04/1999		File referred to SA Anderson (snc) (Entered: 06/01/2000)
10/21/1999		File referred to Judge Coody/SA Anderson (snc) (Entered: 06/01/2000)
04/13/2000		28:2255 MOTIONS ASSIGNED TO JUDDGE ALAIMO (PER JUDGE THOMPSON) (snc) Modified on 06/01/2000 (Entered: 05/23/2000)
05/12/2000	1412	AFFIDAVIT of Joi Marie Hall Re: [1346-1] supplemental amended motion Supplemental to Vacate under 28 U.S.C. 2255, [1342-1] to Vacate under 28 U.S.C. 2255 Referred to Judge Coody/SA Anderson (snc) (Entered: 06/09/2000)
05/12/2000	1413	AFFIDAVITS of Camilia Lander and Donald B. Lander with attachments Re: [1346-1] supplemental amended motion to Vacate under 28 U.S.C. 2255, [1342-1] motion to Vacate under 28 U.S.C. 2255 Referred to Judge Coody/SA Anderson (snc) (Entered: 06/09/2000)
05/22/2000		(snc) (Entered: 05/22/2000)
09/15/2000	1485	MOTION by Curtis Drayton to File a Supplemental Brief re 2255 Motion [1485-1] referred to Mag. Judge Charles S. Coody/SA Anderson . AMENDMENT TO 2255 MOTION (snc) Modified on 09/21/2000 (Entered: 09/15/2000)
09/15/2000	1485	AMENDMENT TO MOTION by Curtis Drayton to Vacate under 28 U.S.C. 2255 [1485-1] referred to Mag. Judge Charles S. Coody (ekl) (Entered: 09/21/2000)
09/21/2000	1487	ORDER as to Curtis Drayton granting motion to amend-- [1485-1] motion to File a Supplemental Brief re 2255 Motion as to Curtis Drayton (4), Response to Amendment to 2255 motion set for 10/11/00 for Curtis Drayton for [1485-1] amendment to motion to Vacate under 28 U.S.C. 2255 (Signed by Mag. Judge Charles S. Coody) Copies mailed to: defendant, Copies furnished to: USA,USM,USPTS,USPO,SC (ekl) (Entered: 09/21/2000)
09/27/2000	1488	MOTION by USA as to Curtis Drayton to Extend Time to submit affidavits and response to 2255 motion ; [1488-1] referred to Mag. Judge Charles S. Coody (dmk) (Entered: 09/28/2000)
10/06/2000	1494	ORDER as to Curtis Drayton granting [1488-1] motion to Extend Time to submit affidavits and response to 2255 motion as to Curtis Drayton (4), Response to Motion reset for 10/27/00 for Curtis Drayton for [1485-1] motion to Vacate under 28 U.S.C. 2255 (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: USA, USPO (snc) (Entered: 10/06/2000)
10/27/2000	1501	THIRD SUPPLEMENTAL RESPONSE by USA as to Curtis Drayton re [1485-1] motion to Vacate under 28 U.S.C. 2255 referred to Mag. Judge Charles S. Coody (ekl) (Entered: 10/27/2000)

11/09/2000	1506	ORDER as to Curtis Drayton, Reply to Response to Motion reset for 11/27/00 for Curtis Drayton for [1485-1] motion to Vacate under 28 U.S.C. 2255 (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: USA, USPO (snc) (Entered: 11/09/2000)
11/27/2000	1510	RESPONSE by Curtis Drayton to Government's Motion to Dismiss and Motion Opposing Habeas Corpus Relief as to His First and Supplemental Claims for Relief [1346-1] supplemental amended motion Supplemental to Vacate under 28 U.S.C. 2255 (snc) (Entered: 12/01/2000)
03/29/2001		**Added (ip) parties Montgomery U.S. Probation, U.S. Pretrial, US Marshals Service (snc) (Entered: 03/29/2001)
04/09/2001	1520	RESOLUTION of the Case in Light of Mandatory Primary Authorities by Curtis Drayton Referred to Judge Coody/SA Anderson (snc) (Entered: 04/10/2001)
04/12/2001	<u>1521</u>	ORDER as to Curtis Drayton construing defendant's response filed 4/9/01 as a motion to amend defendant's 2255 motion and granting the motion and giving the USA 20 days to file a supplemental answer addressing the additional claim raised by defendant in his amendment Response to Amendment to Motion set for 5/2/01 for Curtis Drayton for [1521-1] amendment to motion to Vacate under 28 U.S.C. 2255 (Signed by Mag. Judge Charles S. Coody) Copies mailed to: defendant, Copies furnished to: USA,USPO (ekl) (Entered: 04/12/2001)
04/19/2001	<u>1525</u>	ORDER as to Curtis Drayton directing that any amendment to the 2255 motion be filed on or before 5/21/01 (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies faxed to: USA, USPO (snc) Modified on 04/19/2001 (Entered: 04/19/2001)
05/02/2001	1534	Supplemental RESPONSE by USA as to Curtis Drayton re [1485-1] motion to Vacate under 28 U.S.C. 2255 referred to Mag. Judge Charles S. Coody/SA Anderson (snc) (Entered: 05/03/2001)
05/08/2001		**Reset last document number to 1536 (snc) (Entered: 05/08/2001)
05/21/2001	1537	Supplemental TRAVERSE in Response by Curtis Drayton in response to government's supplemental motion in opposition to [1485-1] motion to Vacate under 28 U.S.C. 2255 Referred to Judge Coody/SA Anderson (snc) (Entered: 05/22/2001)
07/20/2001	1562	Atty Rubino's ANSWER to Court Order Referred to Judge Coody(snc) Modified on 04/03/2003 (Entered: 07/27/2001)
08/20/2001	1563	AFFIDAVIT of Frank A. Rubino Re: [1546-1] supplemental amended motion to Vacate under 28 U.S.C. 2255 Referred to Mag Judge Charles Coody/SA Anderson (snc) (Entered: 08/20/2001)
09/14/2001	<u>1568</u>	ORDER as to Curtis Drayton mootng [1292-1] motion for Extension of Time as to Curtis Drayton (4) (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: USA (snc) (Entered: 09/14/2001)

		09/14/2001)
02/10/2003		** Added (ip) party Richard Q. Thomas, 163 North Haardt Drive, Montgomery, AL 36105 (snc) (Entered: 02/11/2003)
04/03/2003		Copy of 2255 Record furnished Atty Petersen pursuant to DN 1594 (snc) (Entered: 04/03/2003)
04/30/2003	<u>1611</u>	REPORT AND RECOMMENDATIONS of Mag. Judge Charles S. Coody as to Curtis Drayton Re: [1247-1] motion to Vacate under 28 U.S.C. 2255, [1249-1] appendix/addendum to motion to Vacate under 28 U.S.C. 2255, [1296-1] supplement to 2255 motion, [1247-1] supplement to motion to Vacate under 28 U.S.C. 2255 [1485-1] supplement to motion to Vacate under 28 U.S.C. 2255; Motion no longer referred; Objections to R and R due by 5/13/03 Copies mailed to: dft, Copies furnished to: usa (snc) (Entered: 04/30/2003)
05/15/2003	1615	MOTION by Curtis Drayton to Extend Time to File Objections to the Report and Recommendation of the Magistrate Judge [1615-1] referred to Mag. Judge Charles S. Coody (ws) (Entered: 05/15/2003)
05/20/2003	<u>1616</u>	STAMPED ORDER as to Curtis Drayton granting [1615-1] motion to Extend Time to File Objections to the Report and Recommendation of the Magistrate Judge as to Curtis Drayton (4) Objections reset for 6/11/03 for Curtis Drayton for [1611-1] report and recommendations (Entered by Mag. Judge Charles S. Coody) Copies mailed to: Drayton, Copies furnished to: usa (snc) (Entered: 05/20/2003)
06/12/2003	1628	MOTION by Curtis Drayton for Extension of Time (re objections to Recommendation) [1628-1] referred to Mag. Judge Charles S. Coody (snc) (Entered: 06/12/2003)
06/12/2003	1629	MOTION by Curtis Drayton to Amend [1247-1] motion to Vacate under 28 U.S.C. 2255 by Curtis Drayton [1629-1] referred to Mag. Judge Charles S. Coody (snc) (Entered: 06/12/2003)
06/12/2003	1630	Proposed AMENDED MOTION by Curtis Drayton to Vacate under 28 U.S.C. 2255 [1630-1] referred to Mag. Judge Charles S. Coody to: [1249-1] motion to Vacate under 28 U.S.C. 2255 (snc) (Entered: 06/12/2003)
06/18/2003	<u>1637</u>	ORDER as to Curtis Drayton (terminating [1630-1] supplemental amended motion to Vacate under 28 U.S.C. 2255) denying [1629-1] motion to Amend [1247-1] motion to Vacate under 28 U.S.C. 2255; granting [1628-1] motion for Extension of Time (re objections to Recommendation) and allowing defendant until 6/17/03 to file objections to recommendation (Signed by Mag. Judge Charles S. Coody) Copies mailed to: dft, Copies furnished to: usa (snc) (Entered: 06/18/2003)
06/18/2003		** Renoticed document [1638-1] order to select counsel and dft for service (snc) (Entered: 06/18/2003)

06/18/2003		**Terminated document(s) as to Curtis Drayton : terminating [1630-2] supplemental amended motion as to Curtis Drayton (4) per DN 1637 (snc) (Entered: 07/16/2003)
06/19/2003	1642	OBJECTION by Curtis Drayton to [1611-1] report and recommendations Referred to Mag Judge Charles Coody (snc) (Entered: 06/19/2003)
06/24/2003	1647	MOTION by Curtis Drayton to Supplement and Expand the Record [1647-1] referred to Mag. Judge Charles S. Coody (snc) Modified on 06/25/2003 (Entered: 06/25/2003)
06/24/2003	1648	MOTION by Curtis Drayton for Evidentiary Hearing [1648-1] referred to Mag. Judge Charles S. Coody (snc) Modified on 06/25/2003 (Entered: 06/25/2003)
06/24/2003	1649	MOTION by Curtis Drayton for Appointment of Counsel [1649-1] referred to Mag. Judge Charles S. Coody (snc) (Entered: 06/25/2003)
06/24/2003	1650	MOTION by Curtis Drayton to Stay Proceeding Pending Further Factual Development [1650-1] referred to Mag. Judge Charles S. Coody (snc) (Entered: 06/25/2003)
07/02/2003	1654	OBJECTION to Magistrate Judge's Order Denying Leave to Amend by Curtis Drayton Referred to Judge Myron Thompson (snc) (Entered: 07/02/2003)
07/07/2003	<u>1655</u>	ORDER as to Curtis Drayton denying [1650-1] motion to Stay Proceeding Pending Further Factual Development as to Curtis Drayton (4), denying [1649-1] motion for Appointment of Counsel as to Curtis Drayton (4), denying [1648-1] motion for Evidentiary Hearing as to Curtis Drayton (4), denying [1647-1] motion to Supplement and Expand the Record as to Curtis Drayton (4) (Signed by Mag. Judge Charles S. Coody) Copies mailed to: defendant, Copies furnished to: USA,PO,PTSO,SC. (dkt clerk) (Entered: 07/07/2003)
07/15/2003	1669	OBJECTION by Curtis Drayton to Order of Magistrate Judge Referred to Judge Myron Thompson (snc) Modified on 07/16/2003 (Entered: 07/16/2003)
07/16/2003	<u>1670</u>	OPINION as to Curtis Drayton re 2255 motion (Signed by Judge Myron H. Thompson) Copies mailed to: dft, Copies furnished to: usa,uspo (snc) (Entered: 07/16/2003)
07/16/2003	<u>1671</u>	ORDER as to Curtis Drayton overruling the defendant's objection to recommendation (DN 1642) , adopting the Mag Judge's recommendation (DN 1611) and denying [1247-1] motion to Vacate under 28 U.S.C. 2255, [1249-1] addendum/motion to Vacate under 28 U.S.C. 2255, [1272-1] amended motion to vacate, [1296-1] supplemented motion to vacate, and [1485-1] motion to Vacate under 28 U.S.C. 2255. Further overruling defendant's objections (DN 1654) , affirming and adopting the Mag Judge's 6/18/03 order (DN 1637) ; taxing costs against the defendant and directing the Clerk to enter this document on the civil docket as a final

		judgment (by Judge Myron H. Thompson) Copies mailed to: dft, furnished to: usa, uspo, civil clerk (snc) (Entered: 07/16/2003)
07/18/2003	<u>1674</u>	ORDER as to Curtis Drayton overruling the objection filed on 7/15/03 (DN 1669) , and adopting the magistrate judge's 7/7/03 order (DN 1655) as the order of the court (Signed by Judge Myron H. Thompson) Copies mailed to: dft, Copies furnished to: usa (snc) (Entered: 07/18/2003)
08/01/2003	1689	MOTION by Curtis Drayton to Alter or Amend Judgment referred to Mag. Judge Charles S. Coody (snc) (Entered: 08/01/2003)
08/15/2003	<u>1702</u>	ORDER as to Curtis Drayton denying [1689-1] motion to Alter or Amend Judgment as to Curtis Drayton (4) (Signed by Judge Myron H. Thompson) Copies mailed to: dft, Copies furnished to: usa (snc) (Entered: 08/15/2003)
08/15/2003		USCA Case Number Re: [1690-1] appeal by Nathaniel Salery USCA NUMBER: 03-14035-J (kcg) (Entered: 08/18/2003)
09/17/2003	<u>1711</u>	NOTICE OF APPEAL (construed as containing a M/IFP) to U.S. Circuit Court of Appeals, 11th Circuit from the final judgment Doc. No. 1671, entered in this action on July 16, 2003 and the order Doc. No. 1702, entered in this action on August 15, 2003, denying a motion to alter or amend the judgment pursuant to Fed. R. Civ. P. 52(b) and 59(e). Copies mailed to: USCA, Dft, Copies furnished to: USA (kcg) Modified on 09/23/2003 (Entered: 09/19/2003)
09/17/2003	1711	MOTION by Curtis Drayton to Proceed on Appeal in Forma Pauperis [1711-1] referred to Judge Myron H. Thompson (kcg) (Entered: 09/23/2003)
09/17/2003	1711	MOTION by Curtis Drayton to Extend Time by 30 days in which to file a separate COA application [1711-1] referred to Judge Myron H. Thompson (kcg) (Entered: 09/23/2003)
09/17/2003		REQUEST for Original Papers from USCA re: [1690-1] appeal by Nathaniel Salery (kcg) (Entered: 10/29/2003)
09/19/2003		Notice of appeal and certified copy of docket, Judgments/Orders, and Magistrate Judge recommendations as to Curtis Drayton sent to USCA (11th Circuit): [1711-1] appeal (kcg) (Entered: 09/19/2003)
09/24/2003	<u>1716</u>	ORDER as to Curtis Drayton Granting [1711-1] motion to Extend Time by 30 days in which to file a separate COA application as to Curtis Drayton (4) (Signed by Judge Myron H. Thompson) Copies mailed to: dft, USCA, Copies furnished to: USA (ydw) Modified on 09/24/2003 (Entered: 09/24/2003)
09/24/2003	<u>1717</u>	ORDER as to Curtis Drayton denying [1711-1] motion to Proceed on Appeal in Forma Pauperis as to Curtis Drayton (4) and that the appeal in this cause be certified, pursuant to 28 U.S.C.A. 1915(a), as not taken in good faith; (Signed by Judge Myron H. Thompson) Copies mailed to:

		dft, USCA, Copies furnished to: USA (ydw) Modified on 09/25/2003 (Entered: 09/24/2003)
10/02/2003		**Reset last document number to 1717 (kcg) (Entered: 10/02/2003)
10/10/2003		USCA Case Number as to Curtis Drayton Re: [1711-1] appeal USCA Number: 03-15102-J (kcg) (Entered: 10/10/2003)
10/15/2003		USCA appeal fees received FILING FEE \$ 105.00 RECEIPT # 99373 as to Curtis Drayton Re: [1711-1] appeal (kcg) (Entered: 10/20/2003)
10/15/2003		USCA Case Number Re: [1710-1] appeal by Donald Minnifield USCA NUMBER: 03-15103-J (kcg) (Entered: 10/20/2003)
10/16/2003	1726	MOTION by Curtis Drayton to Vacate [1717-1] order and Set Aside Order Denying Leave to Appeal In Forma Pauperis and Certifying that Appeal is not taken in good faith [1726-1] referred to Judge Myron H. Thompson (kcg) (Entered: 10/20/2003)
10/16/2003	1727	MOTION by Curtis Drayton for a Certificate of Appealability [1727-1] referred to Judge Myron H. Thompson (kcg) (Entered: 10/20/2003)
10/17/2003		USCA Case Number Re: [1718-1] appeal by Oscar Andrews USCA NUMBER: 03-15104-J (kcg) (Entered: 10/20/2003)
10/21/2003	<u>1732</u>	ORDER as to Curtis Drayton denying [1726-1] motion to Vacate [1717-1] order and Set Aside Order Denying Leave to Appeal In Forma Pauperis and Certifying that Appeal is not taken in good faith as to Curtis Drayton (4) (Signed by Judge Myron H. Thompson) Copies mailed to: Dft, Copies furnished to: USA (kcg) (Entered: 10/21/2003)
10/21/2003	<u>1733</u>	ORDER as to Curtis Drayton denying [1727-1] motion for a Certificate of Appealability as to Curtis Drayton (4) (Signed by Judge Myron H. Thompson) Copies mailed to: Dft, Copies furnished to: USA (kcg) (Entered: 10/21/2003)
10/30/2003		**Terminated document(s) as to Oscar Andrews, terminating [1546-2] supplemental amended motion as to Oscar Andrews (1) per Judge Coody "rendered moot by final judgment; duplicative motion (snc) (Entered: 10/30/2003)
11/04/2003		Received acknowledgment of receipt of Original Papers from USCA. (kcg) (Entered: 11/04/2003)
11/04/2003		REQUEST for Original Papers from USCA re: [1711-1] appeal by Curtis Drayton (ydw) (Entered: 12/04/2003)
11/04/2003		REQUEST for Original Papers from USCA re: [1710-1] appeal by Donald Minnifield (ydw) (Entered: 12/04/2003)
11/20/2003	<u>1744</u>	Entry of Dismissal of Appeal as to Robert Franklin Re: pursuant to dismissing [1712-1] appeal, terminated., for want of prosecution because the appellant has failed to pay the \$100 docketing and \$5 filing fees (\$105) to the district court clerk the time fixed by the rules, effective this

		17th day of November, 2003. (ydw) Modified on 01/21/2004 (Entered: 11/25/2003)
11/20/2003		REQUEST for Original Papers from USCA re: [1718-1] appeal by Oscar Andrews (ydw) (Entered: 12/04/2003)
11/26/2003		** Renoticed document [1748-1] notice (to fax to counsel, etc.) (snc) (Entered: 11/26/2003)
12/04/2003		Certified and transmitted Original Papers to U.S. Court of Appeals (11th Circuit) as to Curtis Drayton : [1711-1] appeal (ydw) (Entered: 12/04/2003)
12/16/2003		ACKNOWLEDGEMENT of RECEIPT of RECORD ON APPEAL from USCA Re: [1710-1] appeal by Donald Minnifield USCA Number: 03-15103-J (ydw) (Entered: 12/16/2003)
12/16/2003		ACKNOWLEDGEMENT of RECEIPT of RECORD ON APPEAL from USCA Re: [1711-1] appeal by Curtis Drayton USCA Number: 03-15102-J (ydw) (Entered: 12/16/2003)
12/16/2003		ACKNOWLEDGEMENT of RECEIPT of RECORD ON APPEAL from USCA Re: [1718-1] appeal by Oscar Andrews USCA Number: 03-151040-J (ydw) (Entered: 12/16/2003)
12/29/2003		ORIGINAL PAPERS returned from U.S. Court of Appeals: [1690-1] appeal (ydw) (Entered: 12/29/2003)
01/09/2004		REQUEST for Original Papers from USCA re: [1745-1] appeal by Frank Sowers (ydw) (Entered: 01/22/2004)
01/20/2004	<u>1761</u>	Entry of Dismissal of Appeal as to Ronald Lander Re: pursuant to dismissing [1740-1] appeal, terminated., for want of prosecution because the appellant has failed to pay the \$250 docketing and \$5 filing fee (\$255) to the district court clerk within the time fixed by the rules, effective this 15th day of January, 2004. FOR THE COURT - BY DIRECTION (ydw) (Entered: 01/21/2004)
01/21/2004		Original Papers returned from U.S. Court of Appeals: [1718-1] appeal (ydw) (Entered: 01/22/2004)
01/21/2004	<u>1763</u>	ORDER as to Curtis Drayton issued in lieu of the mandate that appellant's motion for a certificate of appealability is DENIED because appellant has failed to make a substantial showing of the denial of a constitutional right. See 28U.S.C. 2253(c)(2). /s/Susan H. Black UNITED STATES CIRCUIT JUDGE (ydw) (Entered: 01/22/2004)
01/21/2004		Original Papers returned from U.S. Court of Appeals: [1711-1] appeal (ydw) (Entered: 01/22/2004)
01/21/2004		Original Papers returned from U.S. Court of Appeals: [1710-1] appeal (ydw) (Entered: 01/22/2004)

01/22/2004		Certified and transmitted Original Papers to U.S. Court of Appeals: [1745-1] appeal by Frank Sowers (ydw) (Entered: 01/22/2004)
01/29/2004		ACKNOWLEDGEMENT of RECEIPT of RECORD ON APPEAL from USCA Re: [1745-1] appeal by Frank Sowers USCA Number: 03-16060-J (ydw) (Entered: 01/30/2004)
02/18/2004		REQUEST for Original Papers from USCA re: [1740-1] appeal by Ronald Lander (ydw) (Entered: 02/18/2004)
02/26/2004		ACKNOWLEDGEMENT of RECEIPT of RECORD ON APPEAL from USCA Re: [1740-1] appeal by Ronald Lander USCA Number: 03-15807-J (ydw) (Entered: 02/26/2004)
05/04/2004		***Set MHT-Clerk B Flag as to all defendants (dgy,) (Entered: 05/04/2004)
05/18/2004		***Set MHT-Clerk B Flag as to Robert L. Franklin, Oscar Andrews, Terry Mitchell, Richard Thomas, Curtis Drayton, Lorenzo Hughes, Nathaniel Salery, Curtis Bell, Ulysses Morris, Mary Morrow, Donald Minnifield, Frank Sowers, Geraldine Frazier, Gerald Wells, Dennis Price, James Donald Bowman, Ronald Lander, Wallace Salery, Mary Mitchell, Jerry Lindsey Artis (snc) (Entered: 05/18/2004)
06/15/2004		Judge update in case (for cm/ecf notification purposes per Judge Thompson) as to Robert L. Franklin, Oscar Andrews, Terry Mitchell, Richard Thomas, Curtis Drayton, Lorenzo Hughes, Nathaniel Salery, Curtis Bell, Ulysses Morris, Mary Morrow, Donald Minnifield, Frank Sowers, Geraldine Frazier, Gerald Wells, Dennis Price, James Donald Bowman, Ronald Lander, Wallace Salery, Mary Mitchell, Jerry Lindsey Artis. Judge Myron H. Thompson added. Judge Anthony Alaimo no longer assigned to case. (snc) (Entered: 07/13/2004)
09/08/2004	1797	Pro Se MOTION to "Correct an Illegal Sentence, Pursuant to Rule 35(A) and Rule 36, of the Federal Rules of Criminal Procedure" by Curtis Drayton. (snc) (Entered: 09/08/2004)
09/08/2004		***Motions terminated as to Curtis Drayton : 1797 MOTION to Correct an Illegal Sentence, Pursuant to Rule 35(A) and Rule 36, of the Federal Rules of Criminal Procedure filed by Curtis Drayton (PER JUDGE COODY; DOCUMENT FILED AS 2255 MOTION TO VACATE--NEW CIVIL ACTION) (snc) (Entered: 09/09/2004)
11/17/2004	1809	ORDER as to Robert L. Franklin, Oscar Andrews, Terry Mitchell, Richard Thomas, Curtis Drayton, Lorenzo Hughes, Nathaniel Salery, Curtis Bell, Ulysses Morris, Mary Morrow, Donald Minnifield, Frank Sowers, Geraldine Frazier, Gerald Wells, Dennis Price, James Donald Bowman, Ronald Lander, Wallace Salery, Mary Mitchell, Jerry Lindsey Artis directing the Clerk to withdraw funds from the court registry savings and to deposit funds in the Treasury's Unclaimed Money Fund account and to make disbursements as outlined in order. Signed by Judge Myron

		H. Thompson on 11/17/04. (Copy to Financial Clerk) (snc) (Entered: 11/17/2004)
01/11/2006	● <u>1873</u>	NOTICE OF ATTORNEY APPEARANCE: William Rives Blanchard, Jr appearing for Curtis Drayton (Blanchard, William) (Entered: 01/11/2006)
01/11/2006	● <u>1874</u>	MOTION to Amend/Correct <i>Sentence for Clear Error Under Rules 35(a) & 36 Fed. R. Crim. P.</i> by Curtis Drayton. (Attachments: # <u>1</u> Exhibit Defendant's Exhibit 1# <u>2</u> Exhibit Defendant's Exhibit 2)(Blanchard, William) (Entered: 01/11/2006)
01/24/2006	● <u>1876</u>	ORDER (terminating <u>1874</u> Motion to Amend/Correct as to Curtis Drayton in this criminal case) directing the clerk to (1) open a civil case under 28:2255, (2) docket Drayton's <u>1874</u> "Motion under Rule 35(a) & 36 Fed. R. Crim. P. to Correct Sentence for Clear Error" in the newly opened civil action, (3) assign the newly opened case to the Magistrate Judge and District Judge to whom the instance case is assigned, and (4) refer the case file to the appropriate Magistrate Judge for further proceedings upon completion of the foregoing directives . Signed by Judge Charles S. Coody on 01/24/06. (snc,) (Entered: 01/24/2006)